

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHTONE DESIGN GROUP, LLC)	
)	
Plaintiff,)	
)	
v.)	
)	
Mary Sullivan KELLY and TRUE PILATES)	
BOSTON LLC)	
)	
Defendants/Counter-Plaintiffs/)	Case No. 7:22-cv-01606-KMK-AEK
Third-Party Plaintiff)	
)	
v.)	
)	
RICHTONE DESIGN GROUP, LLC)	
and Sean GALLAGHER)	
)	
Counter-Defendant and)	
Third-Party Defendant)	
)	
)	

PLAINTIFF’S SUPPLEMENTAL SET OF INTERROGATORIES

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and Local Civil Rules 26.3 and 33.3, Plaintiffs/Counter-Defendant/Third-Party Defendant hereby request that Defendants/Counter-Plaintiffs/Third-Party Plaintiff respond to the following interrogatories fully and separately in writing under oath within thirty (30) days after service hereof by sending such answers to the following email addresses of Plaintiff’s counsel, Gearhart Law: david@gearhartlaw.com and james@gearhartlaw.com.

Definitions

Pursuant to Local Civil Rule 26.3, the full text of the definitions and rules of construction set forth in paragraphs (c) and (d) therein is deemed incorporated by reference into these Interrogatories.

Furthermore, as used in these Interrogatories,

“You” means Defendants, Defendants’ Principals, Defendants’ in house counsel, Mary Kelly, True Pilates Boston, LLC, and any employee of Mary Kelly or True Pilates Boston, LLC

“Defendant’s Counsel” means Gordon Troy, P.C., and any and all of his legal employees or law partners.

“This Case” means the present case, Richtone Design Group LLC v. Mary Sullivan Kelly 7:22-cv-01606-KMK-AEK.

“Pilates Transparency Project” means the Instagram account found at <https://www.instagram.com/pilatestransparencyproject/?hl=en>.

INTERROGATORIES

Supplemental Interrogatory No. 1: Describe the circumstances by which Christina Maria Gadar signed the declaration in This Case dated October 29, 2022.

Supplemental Interrogatory No. 2: Describe the circumstances by which Heather Erdman signed the declaration in This Case dated March 7, 2023.

Supplemental Interrogatory No. 3: Describe the circumstances by which Hila Paldi signed the declaration in This Case dated October 31, 2022.

Supplemental Interrogatory No. 4: Describe the circumstances by which IC Rapaport signed the declaration in This Case dated January 11, 2023.

Supplemental Interrogatory No. 5: Describe the circumstances by which Victoria Batha Cuomo signed the declaration in This Case dated October 23, 2022.

Supplemental Interrogatory No. 6: State the basis for the belief or allegation that Sean Gallagher concealed true copyright information on any photographs at issue in this case.

Supplemental Interrogatory No. 7: State the basis for the belief or allegation that any Instagram accounts were taken down as a result of Digital Millennium Copyright Act (“DMCA”) claims made by Sean Gallagher.

Supplemental Interrogatory No. 8: State the basis for the belief or allegation that the Instagram accounts taken down by DMCA claims were not infringing on Sean Gallagher’s copyrights.

Supplemental Interrogatory No. 9: State the basis for the belief or allegation that You were detrimentally financially impacted by the removal of any Instagram accounts.

Supplemental Interrogatory No. 10: Identify any known teachers seeking legal action against Sean Gallagher as Mary Kelly wrote about in her letter to facebook.

Supplemental Interrogatory No. 11: State the reason that Mary Kelly met with Alycea Ungaro and Victoria Batha in 2021 and 2022.

Supplemental Interrogatory No. 12: State any plans that You had to start the Pilates Transparency Project.

Supplemental Interrogatory No. 13: Identify any third parties that You planned with to start the Pilates Transparency Project.

Supplemental Interrogatory No. 14: State how many original copies of photographs of the chair photo series and/or the Around the Clock photos that You received from third parties on social media or through other platforms.

Supplemental Interrogatory No. 15: Identify who sent you each photograph asked about in Supplemental Interrogatory No. 14.

Supplemental Interrogatory No. 16: State the purpose for which You contacted Ann Vachon regarding the photos owned by the Library of Congress.

Supplemental Interrogatory No. 17: State the basis for the belief or allegation that Sean Gallagher bullied libraries.

Supplemental Interrogatory No. 18: Identify the person or persons that registered The Pilates Transparency LLC in Wyoming.

Supplemental Interrogatory No. 19: Identify the person or persons who are in control of the Pilates Transparency Project.

Supplemental Interrogatory No. 20: Identify the person or persons who create posts for the Pilates Transparency Project.

Dated: March 17, 2023

For Plaintiff:

/s/ /David Postolski/

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 17, 2023, I have caused the foregoing document to be served upon counsel for Defendant as identified below via email at their email addresses below:

Gordon E. R. Troy, Esq.
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/s/ /David Postolski/

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